

## **REMARKS**

Favorable reconsideration is respectfully requested in view of the foregoing amendments and the following remarks.

### **I. CLAIM STATUS AND AMENDMENTS**

Claims 113-122 were pending in this application when last examined.

Claims 117-122 were examined on the merits and stand rejected.

Claims 113-116 were withdrawn as non-elected subject matter. These claims have been amended to require all the limitations of the claims under examination. Therefore, rejoinder is respectfully requested upon allowance of the claims under examination.

Claims 113 is amended to clarify the claimed invention. Claim 116 is amended to correct a typographical error.

No new matter has been added.

### **II. INFORMATION DISCLOSURE STATEMENT**

On page 2 of the previous Office Action, the Office indicated that the Information Disclosure Statement filed May 18, 2008 was not considered with regard to JP 11-322781 because there was no concise explanation of the relevance by Applicants.

Applicants respectfully disagree and contend this reference should be considered.

In particular, the Examiner is directed to MPEP 609.04(a) III, paragraph 2, which indicates that when information listed is not in the English language but was cited in a search report, the designation of "X", "Y", or "A" is sufficient to indicate relevance. It is noted that the search report attached to the May 18, 2008 IDS labels JP 11-322781 with an "A". Thus, under MPEP 609.04(a), a concise explanation has been provided. The Examiner is therefore respectfully requested to return an initialed copy of the 1449 form filed May 18, 2006.

A copy of such 1449 form is enclosed herewith for the Examiner's convenience.

### III. OBVIOUSNESS REJECTION

On page 3 of the Office Action, claims 117-122 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Lopez-Egido et al. in view of accession number K01347 (GFAP, SEQ 10 NO: 250 and 120).

Without acquiescence to the correctness of the Examiner's position, the claims have been limited to a prey protein that is a c-Jun protein.

As noted in the last response, Lopez-Egido et al. discloses that menin associates with JunD and that menin interacts with GFAP and vimentin (See abstract, pg. 175), which may suggest an interaction between JunD and GFAP via menin. However, JunD is different from c-Jun. Thus, Lopez-Egido et al. fails to teach or suggest the prey bate/bate interaction of the claimed invention. The secondary reference fails to remedy this deficiency.

Thus, the cited references fail to teach or suggest the claimed invention and this rejection is untenable and should be withdrawn.

### CONCLUSION

In view of the foregoing amendments and remarks, it is respectfully submitted that the present application is in condition for allowance and early notice to that effect is hereby requested.

If the Examiner has any comments or proposals for expediting prosecution, please contact the undersigned attorney at the telephone number below.

Respectfully submitted,

Etsuko MIYAMOTO et al.

By: /William R. Schmidt, II/ Digitally signed by /William R. Schmidt, II/  
DN: cn=/William R. Schmidt, II/, o=WLP,  
ou, email=bschmidt@wenderoth.com,  
c=US  
Date: 2009.08.12 13:22:46 -04'00'

William R. Schmidt, II  
Registration No. 58,327  
Attorney for Applicants

WRS/vah  
Washington, D.C. 20006-1021  
Telephone (202) 721-8200  
Facsimile (202) 721-8250  
August 12, 2009